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United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	BLANCHE M. MANNING	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 2110	DATE	April 15, 2008
CASE TITLE	United States ex rel. Tony Shultz (#-57945) vs. Warden Terry McCann		

DOCKET ENTRY TEXT:

The petition is transferred to the United States District Court for the Central District of Illinois (Springfield Division) for preliminary consideration pursuant to Rule 4 of the Rules Governing Habeas Corpus Cases Under Section 2254. The case is terminated on this court's docket.

☐ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Tony Shultz, a state prisoner, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petitioner challenges, on multiple grounds, his convictions for first degree murder and feticide.

The petitioner was convicted in Sangamon County, Illinois. Sangamon County lies within the Central District of Illinois federal judicial district. *See* 28 U.S.C. § 93(b). Under 28 U.S.C. § 2241(d), a state prisoner is authorized to file a petition for a writ of habeas corpus in either the federal judicial district of his confinement or the federal judicial district of his conviction. However, given the ready availability of court records and, if necessary, potential witnesses, the district in which the prisoner was convicted is generally considered the more convenient of the two. *See Braden v. 30th Judicial Circuit Court*, 410 U.S. 484, 493-94 (1973). Accordingly, finding the district of conviction a more desirable forum for this action, the court, pursuant to the discretion granted it under 28 U.S.C. § 2241(d), orders this action transferred to the United States District Court for the Central District of Illinois (Springfield Division) for preliminary consideration under Rule 4 of the Rules Governing Section 2254 Cases. The case is closed on this court's docket.

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